

3. That the Defendant, Massachusetts Mutual Life Insurance Company, seeks the removal of the said action to this Court upon the ground and further reason that the controversy in question is between the citizens of different states and involves more than One Hundred Thousand and 00/100 Dollars (\$100,000.00), exclusive of interest and costs.

4. That the original Complaint in this cause was filed in the Circuit Court for Sumner County, Tennessee, at Gallatin, on 4 September 2009, a copy of the Complaint having been served upon the Defendant, Massachusetts Mutual Life Insurance Company, by certified mail through the office of the State of Tennessee Department of Commerce and Insurance on 15 September 2009.

5. The Defendant, Massachusetts's Mutual Life Insurance Company, hereby respectfully submits itself to the personal jurisdiction of the United States District Court for the Middle District of Tennessee, Nashville Division, and is giving notice that the Notice of Removal is being filed in the Office of the Clerk of the United States District Court for the Middle District of Tennessee, Nashville Division, by mailing a Notice to the Honorable Eric L. Buchanan, Esquire, the Honorable R. Scott Wilson, Esquire and the Honorable D. Seth Holliday, Esquire, Eric Buchanan & Associates, PLLC, 414 McCallie Avenue, Chattanooga, Tennessee 37402, as attorneys for the Plaintiff, Kimberly Ballard, and the said Defendant, Massachusetts Mutual Life Insurance Company, attaches hereto a copy of all the pleadings filed or entered in this cause to date. Further notice of the removal of this cause of action is being forwarded to the Circuit Court for Sumner County, Tennessee, at Gallatin, as evidenced by the attached copy of said Notice.

WHEREFORE, the Defendant, Massachusetts Mutual Life Insurance Company, gives notice that the action now pending against it in the Circuit Court for Sumner County, Tennessee,

at Gallatin, under the style of Kimberly Ballard v. Mass (sic) Mutual Life Insurance Company,
bearing appearance number: 83CC1-2009-CV-1055, has been removed therefrom to this Court.

DATED this the 14th day of October, 2009.

Respectfully submitted,

WILLIS & KNIGHT, PLC

By: /s/Tyree B. Harris IV
Tyree B. Harris IV
Tennessee Supreme Court
Registration Number 2367

By: /s/ Katherine A. Brown
Katherine A. Brown
Tennessee Supreme Court
Registration Number 10391

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Telephone: (615) 259-9600
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Attorneys for Defendant, Massachusetts
Mutual Life Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been mailed, via United States mail, first class postage prepaid, on this the 14th day of October, 2009 to:

Eric L. Buchanan, Esquire
R. Scott Wilson, Esquire

D. Seth Holliday, Esquire
Eric Buchanan & Associates, PLLC
414 McCallie Avenue
Chattanooga, TN 37402

/s/ Tyree B. Harris IV
Tyree B. Harris IV